

FILED IN THE  
U.S. DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON

**Nov 04, 2020**

SEAN F. MCAVOY, CLERK

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF WASHINGTON**

VERONICA T.<sup>1</sup>,

Plaintiff,

vs.

ANDREW M. SAUL,  
COMMISSIONER OF SOCIAL  
SECURITY,

Defendant.

No. 1:20-CV-03037-MKD

**ORDER GRANTING  
STIPULATED MOTION FOR  
REMAND PURSUANT TO  
SENTENCE FOUR OF 42 U.S.C. §  
405(g)**

**ECF Nos. 22, 29**

Before the Court is the parties' Stipulated Motion for Remand, ECF No. 29, requesting remand of the above-captioned matter to the Commissioner for additional administrative proceeding pursuant to sentence four of 42 U.S.C. § 405(g). Attorney D. James Tree represents Plaintiff. Attorney Leisa Wolf

---

<sup>1</sup> To protect the privacy of plaintiffs in social security cases, the undersigned identifies them by only their first names and the initial of their last names. *See* LCivR 5.2(c).

1 represents Defendant. The parties have consented to proceed before a magistrate  
2 judge. ECF No. 7.

3 After consideration, **IT IS HEREBY ORDERED** that:

4 1. The parties' Stipulated Motion for Remand, **ECF No. 29**, is **GRANTED**.

5 2. The above-captioned case be **REVERSED** and **REMANDED** to the  
6 Commissioner of Social Security for further administrative proceeding pursuant to  
7 sentence four of 42 U.S.C. § 405(g).

8 On remand, the parties stipulate that:

9 The Appeals Council will instruct the ALJ to:

- 10 • Obtain evidence from a medical expert to clarify the nature, severity,  
11 and effects of Plaintiff's mental impairments and migraine headaches;
- 12 • Further evaluate her mental impairments in accordance with the  
13 special technique;
- 14 • Re-evaluate whether the severity of Plaintiff's impairment(s) met or  
15 equaled the severity of a listed impairment;
- 16 • Re-evaluate the opinion evidence of record;
- 17 • Further evaluate Plaintiff's alleged symptoms;
- 18 • If warranted, reassess Plaintiff's maximum residual capacity; and  
19
- 20

- If warranted by the expanded record, obtain supplemental vocational expert evidence to clarify the effect of the assessed limitations on Plaintiff's ability to perform other work in the national economy.

Additionally, the ALJ will not disturb the finding of disability beginning March 5, 2019. *See* ECF No. 29 at 2.

3. Judgment shall be entered for **PLAINTIFF**.

4. Plaintiff's Motion for Summary Judgment, **ECF No. 22**, is **STRICKEN AS MOOT**.

5. Upon proper presentation, this Court consider Plaintiff's application for fees and expenses under the Equal Access to Justice Act, 28 U.S.C. § 2412(d).

The District Court Executive is directed to enter this Order, **enter Judgment**, forward copies to counsel, and **CLOSE THE FILE**.

DATED November 4, 2020.

s/Mary K. Dimke  
MARY K. DIMKE  
UNITED STATES MAGISTRATE JUDGE